

young girls to play softball. Both Chase and Jeremee also have given generously of their time in volunteer service at local hospitals.

As Presidential Scholars, Chase and Jeremee will be invited to Washington, DC, along with their families and their most influential teachers, to participate in a variety of activities including panel discussions and a ceremony sponsored by the White House.

I would like to take a moment to recognize Chase and Jeremee's influential teachers: Ms. Kathleen Small and Ms. Karen E. Cox. As someone whose own life was transformed by education, I know first hand the value of good teachers and mentors like Ms. Small and Ms. Cox. Their commitment to Chase and Jeremee's education, and to the education of all their students, is truly commendable.

The State of Nevada can take great pride in Chase and Jeremee's accomplishments. They have tremendous potential, and we all expect great things from them. Please join me in congratulating Jeremee and Chase on their impressive accomplishments.

LOCAL LAW ENFORCEMENT ACT OF 2003

Mr. SMITH. Mr. President, today I speak about the need for hate crimes legislation. On May 1, 2003, Senator KENNEDY and I introduced the Local Law Enforcement Enhancement Act, a bill that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society.

On May 26, 2001, in Manteca, CA, Linell Reese was charged with a hate crime for allegedly attacking a man while yelling antigay epithets.

I believe that Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

HONORING OUR ARMED FORCES

SPECIALIST MICHAEL J. WIESEMANN

Mr. BAYH. Mr. President, I rise today with a heavy heart and deep sense of gratitude to honor the life of a brave young man who went to high school in North Judson, IN. SP Michael J. Wiesemann, 20 years old, died at the Forward Operating Base Q-West, Quayrah Air Base, Iraq, on May 29, 2004.

Michael graduated from North Judson-San Pierre High School in 2002 and joined the Army as a steppingstone to college and a better life, according to his mother. After joining the Army, Michael became a cavalry scout and was assigned to the Army's 1st Squadron, 14th Cavalry Regiment, 3rd Brigade, 2nd Infantry Division, out of Fort

Lewis, WA. With his entire life before him, Michael chose to risk everything to fight for the values Americans hold close to our hearts, in a land halfway around the world.

Michael was the 28th Hoosier soldier to be killed while serving his country in Operation Iraqi Freedom. This brave young soldier leaves behind his mother, Karen; his stepfather, Robert; and his fiancée, Abby Trusty, whom he met in high school.

Today, I join Michael's family, his friends, and the entire North Judson community in mourning his death. While we struggle to bear our sorrow over his death, we can also take pride in the example he set, bravely fighting to make the world a safer place. During his dedicated military service, Michael earned the Global War on Terrorism Service Medal and an Expeditionary Medal. It is his courage and strength of character that people will remember when they think of Michael, a memory that will burn brightly during these continuing days of conflict and grief.

When looking back on the life of her former student, Michael's high school English teacher, Carolyn Wyller told the Indianapolis Star that Michael "was artistic and had a good sense of humor." Family and friends say Michael was known for his love of laughter and his big heart. Today and always, Michael will be remembered by family members, friends and fellow Hoosiers as a true American hero and we honor the sacrifice he made while dutifully serving his country.

As I search for words to do justice in honoring Michael's sacrifice, I am reminded of President Lincoln's remarks as he addressed the families of the fallen soldiers in Gettysburg: "We cannot dedicate, we cannot consecrate, we cannot hallow this ground. The brave men, living and dead, who struggled here, have consecrated it, far above our poor power to add or detract. The world will little note nor long remember what we say here, but it can never forget what they did here." This statement is just as true today as it was nearly 150 years ago, as I am certain that the impact of Michael's actions will live on far longer than any record of these words.

It is my sad duty to enter the name of Michael J. Wiesemann in the official Record of the Senate for his service to this country and for his profound commitment to freedom, democracy and peace. When I think about this just cause in which we are engaged, and the unfortunate pain that comes with the loss of our heroes, I hope that families like Michael's can find comfort in the words of the prophet Isaiah who said, "He will swallow up death in victory; and the Lord God will wipe away tears from off all faces."

May God grant strength and peace to those who mourn, and may God be with all of you, as I know He is with Michael.

IMPORTATION OF PRESCRIPTION DRUGS

Mr. ENZI. Mr. President, I have never supported a bill that would allow for the importation of prescription drugs—until today.

I have decided to cosponsor Senator GREGG's bill to permit the carefully regulated importation of drugs approved by the Food and Drug Administration. The bill also would regulate the dispensing of medications by Internet pharmacies and strengthen the laws and regulations that protect Americans from the dangers of counterfeit drugs.

I have long opposed drug importation on the grounds that current laws, regulations, and practices are insufficient to allow for the safe opening of our currently closed drug distribution system. I have said that I could not support any plan to legalize drug importation that does not ensure that the drugs that are imported are safe, effective, and will not compromise the integrity of our Nation's prescription drug supply or our world-leading pharmaceutical research.

With that in mind, Senator GREGG's bill is the first piece of legislation I have seen that would craft an importation system with the appropriate safeguards and limitations necessary to protect the public health. Senator GREGG's bill would allow importation of FDA-approved drugs manufactured in FDA-inspected facilities only. His bill would permit the importation of drugs from Canada only, with the possibility that the FDA could approve importation from other countries in the future. His bill would also provide additional tools and resources for the FDA to use to protect American citizens from tainted or counterfeit drugs, and from scam artists selling medications on the Internet.

Senator GREGG has introduced a strong bill that addresses my concerns about the safety of drug importation and Internet pharmacies, and it's the only bill I've yet seen that I could support.

My main outstanding concern is that Senator GREGG's bill does not address the liability that sellers, distributors, and manufacturers of prescription drugs may face even under a regulated system of drug importation.

Our jurisdiction over foreign companies or individuals in the chain of drug distribution is limited at best. Irresponsible actions on their part could put responsible American companies and individuals at risk of substantial monetary liability. Without liability protection, American companies and individuals may choose not to participate in drug importation, which would defeat the purpose of enacting this legislation in the first place.

As this legislation moves in the Senate, I look forward to working with Senator GREGG, the other cosponsors of his bill, and other interested Members to address these concerns through sensible liability protections for sellers,

distributors, and manufacturers of prescription drugs.

I want to be clear on an important point: importing prescription drugs from other countries will not solve the problem of rising drug prices. Our market for prescription drugs is so large that we can not import enough lower-priced medications from other countries to make a significant impact on prices here.

There are many other ways that Congress is helping Americans afford their prescription medications. Just yesterday, for instance, the new Medicare drug discount cards went into effect. The cards offer savings of 10 to 25 percent or more off the current retail prices seniors pay, and seniors with low incomes also qualify for a \$1,200 credit over the next 18 months to help pay for prescriptions.

Nevertheless, millions of Americans are still buying prescription drugs in Canada and other countries, or purchasing drugs from Internet pharmacies that operate outside the United States. Despite the fact that importing prescription drugs is against the law today, these Americans are taking their lives in their hands by going outside our closed drug distribution system and obtaining their prescription medicines from pharmacies and Internet sites that do not meet the high standards that we require domestically.

Right now, the Federal Government and State governments are looking the other way, crossing our fingers and hoping that no one gets hurt. So I am cosponsoring Senator GREGG's bill to put a strong and enforceable system in place to protect Americans against the dangers inherent in importing drugs from other countries. I also intend to work with Senator GREGG to oppose any election-year political maneuvering that would weaken the critical safety components of his legislation as we consider the bill in the Health, Education, Labor, and Pensions Committee, and on the Senate floor.

ENACTMENT OF THE STANDARDS DEVELOPMENT ORGANIZATION ADVANCEMENT ACT

Mr. LEAHY. Mr. President, I am pleased that the House of Representatives has now passed the Standards Development Organization Advancement Act, an important piece of legislation on which both parties and both Chambers have been able to reach accord. It is now on its way to the President's desk, and I am confident that he will sign it into law.

In April of this year, Senator HATCH, Senator KOHL, Senator DEWINE, and I worked to craft a bipartisan, fair version of this bill that will promote the development of technical standards while preserving antitrust laws that enhance competition. It has been rare during this Congress to achieve the type of consensus generated by our bill, and it illustrates what we can accom-

plish when both parties work together. This is an example of how Congress should function. I must also express my gratitude to Chairman SENSENBRENNER for all his efforts in the House of Representatives, not only for his critical role in shaping this legislation but also for the expeditious way he shepherded the bill through the House.

As I have noted many times, technical standards serve a vital if unseen role in allowing for interoperability of products and making sure that the goods we buy are safe and effective. Whether for airbags or for fire retardant materials, without technical standards, consumers would be less likely to make the purchases that fuel the engine of the U.S. economy. Even more important, aspects of our lives that we consider routine—perhaps even mundane—would take on added dangers without standards that allow consumers to feel confident that a given product is safe and reliable.

There is, however, an unavoidable tension between the antitrust laws that prohibit businesses from colluding and the development of technical standards, which require competitors to reach agreement on basic design elements. The Standards Development Organization Advancement Act eases this tension, allowing standards development organizations to continue their important work while preserving our antitrust laws that enhance competition and protect American consumers.

Without creating an antitrust exemption, the Standards Development Organization Advancement Act will allow standards development organizations to seek review of their standards by the Department of Justice or the Federal Trade Commission prior to implementation. This "screening" phase will not let a standards development organization escape penalty for a regulation that a court later rules is in violation of antitrust laws, but it will limit the organization's liability to single damages rather than the treble damages levied under current law.

Additionally, the bill amends the National Cooperative Research and Production Act of 1993, by directing courts to apply a "rule of reason" standard to standards development organizations and the guidelines they produce. Under existing law, standards may be deemed anticompetitive by a court even if they have the effect of better serving consumers. This legislation gives our courts the needed ability to balance the competing interests of safety and efficiency against any anticompetitive effect—it is a capability our courts need in order to fairly administer justice. Back in the 103rd Congress, I introduced the Senate version of the National Cooperative Production Amendments Act of 1993, and I am glad that we can today build on our earlier successes.

Title II of the Standards Development Organization Advancement Act also addresses several areas of our antitrust laws that merit updating, as our

experience with the actual practice in the world has shown. Most importantly, it will eliminate the disparity between the treatment of criminal white collar offenses and antitrust criminal violations—a provision Senator HATCH and I had introduced in S. 1080, the Antitrust Improvements Act of 2003—and it will update and improve the Justice Department's amnesty program in the criminal antitrust context. It will also make some practical adjustments to the language of the Tunney Act. Finally, it will allow a judge to order publication of the comments received in a Tunney Act proceeding by electronic or other means. This provision will make these documents more accessible to the public while saving taxpayers the costs of paper publication.

I am glad that we can send to the President this bill that makes so many useful, fair, and bipartisan changes.

AMERICA'S FARMERS AND OBESITY

Mr. BROWNBACK. Mr. President, over the past 2 weeks, more than 2,000 farmers—including over 600 from Kansas, the most from any State—have signed a petition that will be sent to ABC News and TIME magazine today or tomorrow. The signers of this petition are to be commended.

Their request is simple. They want to ensure that their voices are heard in an upcoming summit on obesity sponsored by the two news outlets. At this summit, and in subsequent media coverage, "experts" will attempt to link Federal support for America's farmers to the country's obesity epidemic.

The individuals who signed the petition are frustrated, and rightfully so. This summit is a follow-up to the December news special, "How to Get Fat Without Really Trying," where ABC dedicated more than 15 minutes of airtime to bash Federal support for farmers.

Unfortunately, no one from the agricultural community was afforded the opportunity to defend farming families or the policies on which they depend. And don't expect too many farmers to be on hand to defend themselves at the upcoming summit either, not with a \$2,000 registration fee.

The agriculture community is not alone in its frustration. I am frustrated, too. So are many of my colleagues, like Senators BURNS and LINCOLN, who have also been vocal in their opposition to those who would blame farmers for America's bulging waistlines.

In the December special, Peter Jennings claimed "not many people in the government have made the connection between subsidies to agriculture and obesity." At least ABC got one thing right. We haven't made that connection, because there is no connection to be made.

Consider this: federal farm support has been in place since the 1930s. Yet,